

From: Michael Warburton
Sent: Friday, October 24, 2003 10:28 AM
To: Dabbs, Paul
Subject: Comments on Stakeholder Draft

Paul,

I will be submitting some comments through the environmental caucus, but also wanted to transmit these individually:

I certainly support the main tone and direction of the plan, though it has been interesting to have been talking for several years without knowing some of the quantitative information that will be presented. I would like to see more of a commitment to state leadership and several issues find my passions running high. Some portions of text give an incomplete or actually misleading impression of important issues. The following are offered in hopes they might improve communication:

Ch 1- in state role section

1. In chapter 1, p10, the initial introduction of Public Trust concerns could be improved by adding: "The trust places affirmative duties on agencies to maintain trust assets in adequate condition to serve protected uses for future generations of Californians." at the end of the current paragraph.
2. The environmental justice introduction on the same page should include some notation that this is an urban problem as well, perhaps by adding this sentence at the end of the existing paragraph: "Health conditions are also threatened in urban areas with aged and damaged infrastructure and where local organizations have not had fair access to public funding sources."
3. The data assembly paragraph on 1-10 might be improved by adding: "And in the case of Environmental Justice impacts, present methods of collecting and aggregating data tend to average out or mask effects on particular communities." at the end of the paragraph on data collection problems.

Chapter 2

1. In the setting section, (2-1, 2-2) the paragraph about wildlife habitat without mention that human communities existed and used water resources before the Gold Rush is unacceptable. Tribes should be introduced as part of the setting- not as an add on about modern institutions.
2. While it is encouraging that DWR has included a sections about public trust responsibilities, It is unfortunate that representatives of the California Attorney General's office suggested text which minimizes this authority and associated duties. "Current knowledge and needs," actually relates to legal rulings about scientific understanding of natural systems and changing public values, though most readers wouldn't pick this up.
3. In the water contracts section (2-11), people looking at the State Project description could be forgiven for getting the impression that rights to 4.2 million acre feet a year could actually be involved. This is absolutely unacceptable. The display of this figure without any reference to actual deliveries or recent court decisions is not helpful for public understanding of California water issues.
4. A Box on 2-11 purports to describe effects of negotiated international

trade agreements. The bland assurances of no local regulatory impacts are preposterous. Current litigation (some taking place in inaccessible forums behind closed doors) involving exactly these issues supports a totally different position on this issue. This cannot be included with a straight face.

I like the discussions involved in introducing integrated resource planning and better analysis of costs and benefits, but I am wary of what this translates into when the State takes on an assisting rather than leadership role. It's hard to understand what the public trust issues are in the discussions of management strategies, but I am glad that they are sometimes at least acknowledged as part of the picture. I look forward to continued participation in this process.

Thanks for all your work on this,

MW